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Claim 14, lines 4-5, ~~change~~ "capable of destroying or of normalizing" to --which destroys or normalizes--.

Claim 15, lines 3-4, ~~change~~ "capable of destroying or of normalizing" to --which destroys or normalizes--.

Claim 16, line 6, ~~change~~ "capable of cisactivating" to --which cisactivates--.

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

We have amended claims 1, 9, 10, 14, 15 and 16 above to address the Examiner's concerns under 35 U.S.C. §112, second paragraph, as outlined in the January 21, 1998 Office Action. No new matter is introduced by these amendments, and entry and consideration are requested.

In the Office Action, the Examiner also rejected claims 1-27 under 35 U.S.C. §112, first paragraph as non-enabling. The Examiner acknowledges that the specification enables an autonomous parvoviral vector containing the CAT (chloramphenicol acetyl transferase) gene or murine B7 gene under the control of the P38 promoter in place of the parvoviral genes encoding the parvoviral capsid proteins. However, the Examiner states that the specification does not enable nucleotide sequences or parvoviral vectors capable of

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destroying or normalizing any type of cancer cell infected by any virus or bacteria in vitro or in vivo.

We disagree that our claims as pending are not enabled by our disclosure, especially in light of what is already known and accepted within the relevant art. Certainly other genes besides CAT and B7 are useful, such as the Herpes Simplex Virus Thymidine Kinase gene (in Example 11). Examples 12 and 13 also support the use of different genes and promoters.

For good measure, we attach a Declaration Under Rule 1.132 by the inventor, Dr. Marc Zeicher. We believe that this Declaration addresses all of the Examiner's outstanding enablement concerns as detailed on pages 2-7 of the Office Action. Reconsideration of this rejection is therefore respectfully requested.

Claims 1-27 are rejected under 35 U.S.C. §112, second paragraph. As mentioned above, claims 1, 9, 10, 14, 15 and 16 are amended above to address this particular rejection. Withdrawal of the rejection is therefore requested.

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Having addressed all of the Examiner's outstanding concerns, we believe that our application is in condition for allowance, and notice to that effect is earnestly solicited.

Respectfully submitted,

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